

Notice of Allowability

Application No.

10/519,464

Examiner

Olga Asinovsky

Applicant(s)

NAJIMA ET AL.

Art Unit

1711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/25/2007.
2. ☒ The allowed claim(s) is/are 1-5.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 04/25/2007
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 04/25/2007 has been entered.

Applicants filed new IDS. There is no amendment to the present claims.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance: The claimed invention is a method for preparing an acrylic-modified chlorinated polyolefin resin, which comprises graft-copolymerizing an acid-modified chlorinated polyolefin resin with a monomer mixture containing a (meth)acrylate ester monomer having one hydroxyl group and another vinyl monomer in the presence of one or more of cyclic ether compounds specified under Markush group practice in the present claim 1.

Independent claim 4 discloses a composition/product produced by the process requiring all limitations cited in the present claim 1.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The closest references are Patent 4,304,838 to Hasegawa et al; Patent 5,580,933 to Verge et al.

4. While each of these Patents discloses a chlorinated polyolefin and grafted at least two polymerizable monomers in one polymerization step, each of these references discloses an aromatic solvent. None of the reference discloses a solvent recited in the present claims wherein an aromatic solvent is excluded.

5. Reference to 20030162887 discloses an aqueous medium that excluded in the present claims.

WO 02/064690 discloses one monomer such as an acrylic monomer having an ethylenically unsaturated bond grafted on to an oxidized chlorinated polyolefin.

Reference does not disclose (in the abstract) a mixture of at least two monomers specified in the present claims.

GB 876535 discloses a carboxylic acid grafted on to polyolefin resin in the presence of dioxane. GB'535 does not disclose a chlorinated polyolefin, nor a mixture of at least two polymerizable monomers specified in the present claims.

References, Patent 5,589,933 to Osgood et al and Patent 5,540,783 to Eres et al have no relation to the inventive issue in the present claims.

Meanwhile, a new search has been made. New reference Patent 5,143,976 to Ashihara et al discloses chlorinated polyolefins grafted with acrylic oligomer having hydroxyl group at the terminal and other polymerizable monomer having vinyl moiety, However, the polymerization is carried out in an aromatic solvent.

These references are no better that of the previously of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olga Asinovsky whose telephone number is 571-272-1066. The examiner can normally be reached on 9:00 to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on 571-272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

O.A.

July 4, 2007


James J. Seidleck
Supervisory Patent Examiner
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